

Title: Administrative Policy Open Records	Policy No. Part 1, County Administration Chapter 3, Operations Section 3
	Effective Date August 22, 2017
Policy Custodian County Manager	Adoption/Revision Date August 22, 2017/February 27, 2018

Adopting Resolution(s): CC17-264

References (Statutes /Resos/Policies): 24-72-201 et. seq.; CC04-240, CC05-069, CC07- 487, CC11-400

Purpose: To provide public records.

Policy: Open Records

A. Applicability

1. This policy applies to all requests for public county records, including those made pursuant to the Colorado Open Records laws.
2. This policy applies to all Board of County Commissioner Departments and Divisions.

B. Requests for Public Records under the Colorado Open Records Law.

1. Requests for public records made pursuant to the Colorado Open Records laws must be submitted in writing and must be specific as to the records sought.
2. Response
The county will respond to requests made pursuant to the Colorado Open Records laws within 3 working days whenever possible. If the request is voluminous or extenuating circumstances apply, the custodian of the records will notify the requester that delivery may be delayed.

C. Fees

1. Copies

- a. The fee for a paper copy of any public county record, including copies requested pursuant to the Colorado Open Records laws shall be as follows:

8.5" by 11"	First five pages free 25¢ for each page after the first five pages
11" by 17"	25¢ for each page
Greater than 11" by 17"	Fee not to exceed the actual cost of reproduction

- b. The fee for an electronic copy of any public county record, including copies requested pursuant to the Colorado Open Records laws shall be as follows:

If the record exists in electronic format	\$1 for a CD (if required) + Data Compilation time
If the record had to be scanned	\$1 for a CD (if required) + Data Compilation time
If the record had to be printed and then scanned	\$1 for a CD (if required) + Data Compilation time + paper copy fee

2. Data Manipulation

- a. Any Division may set a fee for reports, maps, or products that are produced through the manipulation of data for the benefit of the customer.
- b. The county may refuse any request requiring data manipulation on the basis that the Colorado Open Records Act does not require manipulation.

3. Data Compilation

- a. If the request will take more than an hour to fulfill, the fee for compiling requested information, including information requested pursuant to the Colorado Open Records laws shall be as follows:

Board of County Commissioner Department or Division	One hour or less per request; no more than one request per month per subject	\$0
	More than an hour per request or more than one request per month per subject	\$30 per hour
Elected Official or Appointed Official	As determined by Elected or Appointed Official or Statute	

- b. The Public Affairs staff time may not be included in the Data Compilation cost.
- c. The requester must be provided a cost estimate, and may be requested to pay all or a portion, prior to compiling the information.

D. Research by Requester

Independent research by the requesting party is allowed provided that:

- a. The records sets to be researched do not include privileged documents or documents not otherwise subject to public disclosure;

- b. The research is supervised to avoid loss or damage to records. Staff time spent on supervision shall apply as listed in the Data Compilation section of this Policy;
- c. The research does not unduly disrupt the day-to-day activities of the organization; and
- d. The records/documents being researched are returned to the files in the same order as when they were removed.

E. Data Format

1. Upon request, digital records kept in a sortable digital format must be provided in a sortable digital format of the custodian's choosing, and searchable digital records must be provided in a searchable digital format of the custodian's choosing, unless one of the following is true:
 - a. It is not technologically or practically feasible to provide a copy of the record in the requested format.
 - b. It is not technologically or practically feasible to permanently remove information that the custodian is required or allowed to withhold from the record.
 - c. Producing or redacting the record would require the county to purchase software or create additional programming or functionality in its existing software.
 - d. Producing the record would violate the terms of any copyright of licensing agreement between the county and a third party or result in the release of a third party's proprietary information.
2. If the county is not able to provide (a) a sortable digital record in a sortable format or (b) a searchable digital record in a searchable format, the custodian will produce the record in an alternative format if the record is subject to disclosure. The custodian will provide a written declaration attesting to the reason(s) the record cannot be produced in a sortable or searchable format, when such request is denied.